

Appl. No. 09/627,254

Amdt. dated April 22, 2004

RCE and Amendment in reply to Office Action of October 21, 2003

Remarks/Arguments

Claims 1-24 are pending in the application, and claims 1-24 have been rejected. Claims 1, 5, 17 and 20 have been amended. No new matter has been added.

Responsive to the rejection of claims 1 - 4 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,826,198 to Bergins et al. ("Bergins"), in view of U.S. Patent No. 6,366,787 to Iwamoto ("Iwamoto"), Applicants submit that the combination of Bergins and Iwamoto does not disclose, teach or suggest every element of amended claim 1. The references, neither individually nor in combination, disclose, teach or suggest a radio system that includes all of the recitations of Applicants' amended claim 1, specifically a communication port including a controller for communicating transmission signals to the radio system *including signals having information about the status of a communication connection between the personal digital assistant and the cellular phone through the modem*, and software for the controller including both instructions for *determining the status of the communication connection between the personal digital assistant and the cellular phone* and instructions for displaying the status of the communication connection on the display of the radio.

Examiner, citing column 4, lines 33-44, argues that Bergins teaches control processor 34 for communicating transmission signals to a radio including signals having information about the status of a communication connection between DTE interface 32 and transceiver 40. Examiner also cites both column 4, lines 45-67 and column 6, lines 13-33, respectively, in arguing that software for control processor/signal processor/transceiver controller 34, 36, 42 includes both instructions for determining the status of the communication connection and for displaying the status of the communication connection on display 22.

Applicants disagree. Column 4, lines 33-44 simply teach that transceiver 10 includes DTE interface 32 and that DTE interface 32 passes data to control processor 34. (Bergins, column 4, lines 31-42). Bergins does not teach that control processor 34 communicates

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transmission signals to a radio including signals having information about the status of a communication connection between DTE interface 32 and transceiver 40.

Column 4, lines 45-67 of Bergins further teach that control processor 34 includes control lines 33(a), 33(b), which are connected to the interface between display 22 of cellular phone handset 20 and controller 42 of transceiver 40, as well as connected to the interface between keypad 24 of handset 20 and controller 42 of transceiver 40. (Bergins, column 4, lines 45-48). Bergins also teaches that control line 33(a) allows control processor 34 to emulate keypad 24 as seen by transceiver controller 42, and control line 33(b) allows control processor 34 to see the messages which would otherwise be displayed on display 22 by transceiver 42. (Bergins, column 4, lines 49-55). In accordance with the above-cited portions of Bergins, the only system taught by Bergins is one in which transmission signals containing information about the status of a communication connection *between handset 20 and transceiver 40* are communicated. Applicants are not aware of any portion of Bergins that discloses, teaches or suggests a system that is capable of communicating transmission signals to the radio that include signals having information about the status of a communication connection *between a personal digital assistant and a cellular phone through a modem*.

As stated above, Examiner cites column 6, lines 13-33 in arguing that Bergins teaches software for control processor/signal processor/transceiver controller 34, 36, 42 that includes instructions for displaying the status of the communication connection between a personal digital assistant and a cellular phone on the display of a radio. However, Bergins only teaches that the signal strength of transceiver 40 is both provided by controller 42 to display 22 and provided by control line 33(a) to control processor 34. (Bergins, column 6, lines 13-16). As such, this cited portion of Bergins does not teach instructions for displaying the status of a communication connection *between a personal digital assistant and a cellular phone through a modem*. At best, this section only teaches that the status of a communication connection *between handset 20 and transceiver 40* may be displayed. This teaching is consistent with Applicants' above argument that Bergins does not disclose, teach or suggest a radio system capable of communicating

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transmission signals to a radio that includes signals having information about the status of a communication connection *between a personal digital assistant and a cellular phone through a modem.*

Iwamoto teaches a cellular telephone which permits direct connection to an information processing apparatus for data communications. Referring to Figure 1, serial data communication connection unit 15 is connected to a serial interface connector of information processing apparatus 20 via a cable and is responsible for signal transmission/reception between digital cellular telephone 10 and information processing apparatus 20. (Iwamoto, column 10, lines 55-59). Iwamoto does not disclose, teach or suggest a system capable of communicating transmission signals to a radio that includes signals having information about the status of a communication connection *between a personal digital assistant and a cellular phone through a modem.* Indeed, as stated in Iwamoto, it was an object of the Iwamoto invention to provide cellular telephone 10 permitting the *direct connection* to information processing apparatus 20 for data communications. (Iwamoto, column 1, line 66 – column 2, line 2). Accordingly, Iwamoto does not teach or suggest providing a communication connection between information processing apparatus 20 and cellular telephone 10 through a modem.

Claims 2, 3 and 4 either directly or indirectly depend from amended claim 1 and, as described above, the combination of Bergins and Iwamoto does not disclose, teach or suggest all of the recitations of the radio system of Applicants' amended claim 1. Therefore, Applicants submit that dependent claims 2, 3 and 4 are distinguishable over the cited prior art.

Responsive to the rejection of claims 17 and 18 under 35 U.S.C. 103(a) as being unpatentable over Bergins in view of Iwamoto, Applicants submit that the combination of Bergins and Iwamoto does not disclose, teach or suggest every step of amended claim 17. As explained above, Applicants are not aware of any portion of either Bergins or Iwamoto that discloses, teaches or suggests a method including a step of determining the status of a communication connection *between a personal digital assistant and a cellular phone through a*

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modem and displaying the status of the communication connection between the personal digital assistant and the cellular phone on the display of the radio.

Claim 18 directly depends from amended claim 17. Because amended claim 17 includes steps not taught by the combination of the cited prior art references, Applicants submit that dependent claim 18 is also distinguishable over the cited prior art.

Regarding the rejection of claim 20 under 35 U.S.C. 103(a) as being unpatentable over Bergins in view of Iwamoto, Applicants submit that the combination of Bergins and Iwamoto does not disclose, teach or suggest every element of amended claim 20. Applicants are not aware of any portion of either Bergins or Iwamoto that discloses, teaches or suggests a radio system including 1) a communication port including a controller for communicating transmission signals to the radio including signals having information about the status of a communication connection *between a personal digital assistant and a cellular phone through a modem*, and 2) software for the controller including instructions for determining the status of the communication connection from the communication port.

Claims 21, 22, 23 and 24 either directly or indirectly depend from claim 20. Because amended claim 20 includes recitations not taught by the combination of the cited prior art references, Applicants submit that dependent claims 21, 22, 23 and 24 are also distinguishable over the cited prior art.

Responsive to the rejection of claim 19 under 35 U.S.C. 103(a) as being unpatentable over Bergins and Iwamoto as applied to claim 18 and further in view of U.S. Patent No. 6,266,539 to Pardo ("Pardo"), the combination of Bergins and Iwamoto does not disclose, teach or suggest every recitation of Applicants' amended claim 17, from which claim 19 indirectly depends. Accordingly, Applicants submit that depended claim 19 is distinguishable over the cited prior art.

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Responsive to the rejection of claim 5 as being unpatentable under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,711,012 to Bottoms et al ("Bottoms"), in view of U.S. Patent No. 5,898,920 to Jacobs ("Jacobs"), and further in view of Pardo, Applicants submit that the combination of Bottoms, Jacobs and Pardo does not meet all of the steps of claim 5, namely the steps of determining the existence of a computer connection for the transfer of data *between the personal digital assistant and the cellular phone through a modem* and of displaying the status of the communication connection *between the personal digital assistant and the cellular phone* on the display of the radio, as provided above by Applicants.

Bottoms teaches modem 100 and cellular telephone 200 (Fig. 1). Pardo teaches PDA 125 (Fig. 12), and Jacobs teaches cellular telephone 101, PDA 102 and modem 103. Applicants, however, are not aware of any of these references, either alone or in combination, disclosing, teaching or suggesting the steps of 1) determining the status of a computer connection for the transfer of data between the personal digital assistant and the cellular phone, and 2) displaying the status of the communication connection between the personal digital assistant and the cellular phone on the display of the radio. For these reasons, Applicants submit that amended claim 5 is distinguishable over the cited prior art.

Responsive to the rejection of claims 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 as being unpatentable over Bottoms in view of Jacobs and further in view of Pardo, Applicants submit that each of these claims depend either directly or indirectly from independent claim 5 and incorporate the recitations of claim 5. Because the combination of these references do not disclose, teach or suggest every step of amended claim 5, as described above, Applicants submit that claims 6-16 are distinguishable over the cited prior art.

For all of the above reasons, Applicants submit that claims 1-4, 17, 18 and 20-24 are not disclosed, taught or suggested by the combination of Bergins and Iwamoto, that claim 19 is not disclosed, taught or suggested by the combination of Bergins, Iwamoto and Pardo, and that claims 5-16 are not disclosed, taught or suggested by the combination of Bottoms, Jacobs and

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Pardo, thereby placing the application in condition for allowance. Applicants respectfully request allowance thereof.

Should any questions concerning any of the foregoing arise, Examiner is invited to telephone the undersigned at (317) 237-1184.

Applicants have filed a Petition for Extension of Time concurrently herewith. In the event that Applicants have overlooked the need for an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any charges be made to Deposit Account No. 02-0390, BAKER & DANIELS.

Respectfully submitted,

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents Box RCE, P. O. Box 1450, Washington, D.C. 20231, on: April 22, 2004.

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SIGNATURE